

**Chadds Ford Township Board of Supervisors Meeting
January 5, 2004
M I N U T E S**

OFFICIALS PRESENT: Deborah Love D'Elia, Acting Chairman
George M. Thorpe, Member
Garry Paul, Member
Hugh A. Donaghue, Esquire, Township Solicitor
James C. Kelly, Township Engineer
Richard J. Jensen, Building Inspector, CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Mrs. Love D'Elia called the meeting to order at 7:37 PM. The Pledge of Allegiance was recited.

SWEARING IN OF ELECTED OFFICIALS

Mrs. Furlong, acting in her capacity as a notary public, swore into office both George M. Thorpe, as an elected Supervisor, and Valerie J. Hoxter, as an elected Auditor. Both officials had been elected in the general election of November 4, 2003.

Mrs. Love D'Elia explained that Sharon Wenrich, who was elected to serve as Township Constable, will need to be sworn in by the Clerk of Courts at the Media Court House.

ORGANIZATION MEETING

Mrs. Love D'Elia stated that the Board was meeting on the first Monday of January instead of the first Wednesday to be in compliance with second class Township code which requires the organization of municipalities on the first Monday of every January. Tonight's meeting will be the only Board of Supervisor's meeting during January.

CHAIRMAN – BOARD OF SUPERVISORS

Mrs. Love D'Elia opened the floor for nominations for the position of Chairman of the Board of Supervisors. Mr. Paul nominate George M. Thorpe. There were no other nominations.

MOTION FOR APPOINTMENT OF CHAIRMAN – BOARD OF SUPERVISORS

Upon motion and second (Paul, D'Elia), George M. Thorpe was appointed to serve as Chairman.

Mr. Thorpe assumed the Chair for the remainder of the evening.

VICE CHAIRMAN – BOARD OF SUPERVISORS

Mr. Thorpe opened the floor for nominations for the position of Vice Chairman of the Board of Supervisors. Mr. Paul nominated Deborah Love D'Elia. There were no other nominations.

MOTION FOR APPOINTMENT OF VICE CHAIRMAN

Upon motion and second (Paul, Thorpe), Deborah Love D'Elia was appointed to serve as Vice Chairman.

ROADMASTER

Mr. Thorpe opened the floor for nominations for the position of Roadmaster. Mrs. Love D'Elia nominated Phil Wenrich for the position.

MOTION TO APPOINT ROADMASTER

Upon motion and second (D'Elia, Paul), the Board of Supervisors appointed Phil Wenrich to serve as Roadmaster.

OTHER APPOINTED POSITIONS

Mr. Thorpe opened the floor for various other appointed positions.

Mrs. Love D'Elia nominated the following:

- To continue to employ the firm of Donaghue and Bradley, specifically Hugh A. Donaghue, Esquire, as Township Solicitor. Retainer is to be \$400.00 per month and \$125.00 per hour.
- To continue to employ Robert L. Pinto, Esquire, of Levis & Pinto, as secondary counsel with a fee to remain the same at \$100 per hour.
- To continue to employ Francis T. Sbandi, Esquire, as Solicitor for the zoning Hearing Board. The basis for fees is to remain the same at \$75.00 per hour.
- To continue to employ James C. Kelly of Kelly Engineers as the Township's principal engineering consultant.
- To continue to employ Kelly Engineers, specifically Will McBeth and John Ibach, as the Township's Sewage Enforcement Officers.
- To continue to employ the Brandywine Conservancy, or equivalent consultant, for land development review services.

There were no other nominations.

MOTION TO APPROVE OTHER APPOINTED POSITIONS

Upon motion and second (D'Elia, Thorpe) the Board of Supervisors appointed the individuals as indicated above.

ADOPTION OF RESOLUTIONS

RESOLUTION 2004-1 – Appointment of Township Auditor

Mrs. Love D'Elia explained that the purpose of the resolution was to officially

replace the elected Township Auditors with the firm of MervesAmon&Barsz for the purpose of performing the 2003 audit.

MOTION TO APPROVE RESOLUTION 2004-1

Upon motion and second (D'Elia, Paul), the Board of Supervisors adopted Resolution 2004-1, appointing the firm of MervesAmon&Barsz as the Township auditors for the purpose of performing the 2003 audit and to perform all other duties as specified in Sections 901 and 917 of the Second Class Township Code.

Mrs. Love D'Elia introduced Peter Barsz, who was present for the meeting.

RESOLUTION 2004-2 – Designating Commerce Bank as the Official Township Financial Institution

Mrs. Love D'Elia explained that the Resolution at hand would have the effect of continuing to authorize Commerce Bank to be the official bank for Chadds Ford Township.

MOTION TO APPROVE RESOLUTION 2004-2

Upon motion and second (D'Elia, Paul), the Board of Supervisors adopted Resolution 2004-2, designating Commerce Bank as the financial institution of and depository for the funds of Chadds Ford Township and further establishing authorized signatures for all Township accounts.

RESOLUTION 2004-3 – Establishing a Tax Collector's Account at Commerce Bank

Mrs. Love D'Elia explained that Resolution 2004-3 was to approve the establishment of a tax collector's account at Commerce Bank.

MOTION TO APPROVE RESOLUTION 2004-3

Upon motion and second (D'Elia, Paul), the Board of Supervisors adopted Resolution 2004-3, approving the establishment of a tax collector's account at Commerce Bank and further establishing authorized signatures for said account.

INDIVIDUAL APPOINTMENTS

Mr. Thorpe opened the floor for various individual appointments.

EMERGENCY MANAGEMENT COORDINATOR

Mr. Paul nominated Sharon Wenrich to serve as Emergency Management Coordinator. There were no other nominations.

MOTION TO APPROVE APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR

Upon motion and second (Paul, D'Elia), the Board of Supervisors moved to appoint Sharon Wenrich as Emergency Management Coordinator.

BUILDING INSPECTOR, CODE ENFORCEMENT OFFICER, ZONING OFFICER and PLUMBING INSPECTOR

Mr. Paul nominated Richard J. Jensen to continue to serve as Emergency Management Coordinator. Mr. Jensen's retainer is to be \$785.00 per month with fees as follows:

Fees	% of Fees Collected
Zoning	70%
Building	35%
Plumbing	60%
Grading	70%
Certificates of Occupancy (w/o permits)	70%
Certificates of Occupancy (w/permits)	35%

There were no other nominations.

MOTION TO APPROVE APPOINTMENT OF BUILDING INSPECTOR, CODE ENFORCEMENT OFFICER, ZONING OFFICER and PLUMBING INSPECTOR

Upon motion and second (Paul, D'Elia), the Board of Supervisors voted to continue to employ Richard J. Jensen as Building Inspector, Code Enforcement Officer, Zoning Officer and Plumbing Inspector with fees as set forth above.

TOWNSHIP SECRETARY

Mr. Paul nominated Maryann Furlong to continue to serve as Township Secretary with compensation to be \$1850 per month. There were no other nominations.

MOTION TO APPOINT TOWNSHIP SECRETARY

Upon motion and second (Paul, D'Elia), the Board of Supervisors voted to continue to employ Maryann D. Furlong as Secretary/Treasurer.

VACANCY OFFICER

Mr. Paul nominated Sigurd S. Swensson to serve as Vacancy Officer for a one year term.

MOTION TO APPOINT VACANCY OFFICER

Upon motion and second (Paul, D'Elia) the Board of Supervisors appointed Sigurd S. Swensson as Vacancy Officer for a one year term to run January 5, 2004 through December 31, 2004.

APPOINTMENTS TO COMMITTEES

Mr. Thorpe opened the floor for nominations to fill vacancies for various Township committees.

PLANNING COMMISSION

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved the following:

- the resignation of Anthony Cutrona from Planning Commission, effective 1/5/2004;
- the appointment of Gordon Daniels to serve the unexpired portion of Anthony Cutrona's term, to run from 1/5/04 – 12/31/04;
- the appointment of Paul Vernon to fill the unexpired portion of James Reamer's term, to run from 1/5/04 – 12/31/05, and
- the reappointed of Maurice Todd for a term from 1/5/04 – 12/31/07.

SEWER AUTHORITY

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors approved the following:

- the resignation of Garry Paul from the Sewer Authority;
- the appoint of Anthony Cutrona to fill the unexpired portion of Garry Paul's term, to run from 1/5/04 – 12/31/07, and
- the reappointed Vince DelRossi to serve a term from 1/5/04 – 12/31/08.

ZONING HEARING BOARD

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved the reappointment of Ed Wandersee to serve on the Zoning Hearing Board, with a term to run from 1/5/04 – 12/31/06.

HARB

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors approved the reappointment of members Luren Dickinson, Kathy Wandersee and Richard Jensen with all terms to run from 1/5/04 – 12/31/08.

OPEN SPACE

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved the following:

- the appointment of Kathleen Goodier as a new additional member with a term to run from 1/5/04 – 12/31/06;
- the reappointment of members Lois Saunders and Donald Weiss with terms to run from 1/5/04 – 12/31/06.

ELECTED AUDITOR

Upon motion and second (D'Elia, Paul), the Board of Supervisors appointed Gary McAnelly to fill the unexpired term of Garry Paul as an elected auditor for the Township with term to run from 1/5/04 – 12/31/05.

The Treasurer's Bond has been previously established at \$900,000.

Mr. Thorpe announced the members of the Township Properties Committee as being himself, Ed Wandersee, Phyllis Nolan, Jim Duff and Richard Jensen. Member of the Financial Advisory Board are Deborah Love D'Elia, Mary Kot, Valerie Hoxter and Maryann Furlong.

Mr. Thorpe thanked both newly elected and appointed Township officials and thanked those leaving office for the many hours of work and dedication to the Township. The hours of work donated by those officials have saved the Township an incalculable amount of funds and that work is very much appreciated.

Mr. Thorpe stated that the official 2004 meeting date calendar needs further revision prior to distribution and publication. This will be accomplished within the next two weeks. Mrs.

Furlong is also preparing a list of Township officials and board members that will be available for publication.

The organization portion of the meeting was concluded.

PUBLIC COMMENT – CHADDS FORD RESIDENTS

Dr. Lana Shear, Atwater Road, commented on the development of the former Kay property regarding the loss of trees, the increase of traffic on a road barely wide enough for two cars, and the change in character of entire neighborhood.

Debbie Reardon, Tally Ho Drive, asked if any response had come from PennDOT regarding the intersection of Heyburn and Ridge Roads. Mr. Prabel answered that PennDOT has been performing traffic studies in that area. Mr. Thorpe reported that he recently had been in contact with PennDOT regarding the intersection and had followed up with an e-mail message to PennDOT officials.

Bill Taylor, Chairman, Planning Commission, announced that meeting dates have been switched. The second Wednesday of the month will now be the official Planning Commission meeting, with the last Wednesday of the month to be Workshop. Mr. Thorpe asked Richard Schwartzman of the Chadds Ford Post to publish that information.

Harvey Kliman responded to Dr. Shear's comments by stating that it was his opinion that there has been a change in the philosophy of landowners of subdividable properties. Those owners are now willing to sell their properties to developers rather than large tracts of land being sold to families who will retain a single home.

Mr. Thorpe stated that Township regulations remain the same and are enforced in the same manner and that the problem is with the way people develop today.

STATE POLICE REPORT

A report was not available.

APPROVAL OF MINUTES – December 3, 2003

Mrs. Furlong had prepared and circulated minutes of the December 3rd Board of Supervisors meeting for review and comment.

MOTION TO APPROVE MINUTES OF DECEMBER 3, 2003

Upon motion and second (Thorpe, Paul), the Board of Supervisors approved the minutes of the December 3, 2003 meeting, draft dated January 3, 2004, which included revisions by Mr. Thorpe.

MOTION TO APPROVE MINUTES OF DECEMBER 17, 2003 – Continuation of Board of Supervisors' Meeting of December 3, 2003

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved the minutes of the December 17, 2003 meeting, which had been a continuation of the Board's meeting of December 3, 2003.

REPORTS

SUPERVISORS' REPORT

Mr. Thorpe reported that the three Supervisors had met on December 31, 2003, to discuss personnel, with the results having been announced tonight during the organization portion of the meeting.

Mr. Thorpe further stated that it was his sincere hope that the renumbering process had finally been completed and asked residents to please comply with the Township's request to post new street numbers. The one year grace period that had been granted by the US Post Office for residents to update new address information has expired. The latest revision Fire Company, Delaware County Emergency Services and the three post offices of Chadds Ford, Glen Mills and West Chester. Ms. Love D'Elia suggested that updates also be sent to Delaware County Voter Registration, Delaware County Board of Assessment, and the Unionville Chadds Ford School District.

Mr. Thorpe announced that cul-de-sac roads are a major problem for the snow plow contractor during snow storms and asked all residents to please keep vehicles off all streets and particularly cul-de-sacs during snow storms. Mr. Jensen suggested that Richard Schwartzman report in the Chadds Ford Post that the Supervisors are asking residents to park off the street during snowstorms.

Mr. Thorpe reported that PennDOT has accepted a request to upgrade the traffic light at Route 202 and Springhill Drive. Signage will be updated through Concord Township, who maintains those traffic lights.

Mr. Thorpe reported that a proposal had been submitted to construct a super Wawa at Route 202 and Dilworthtown Road. Sewage will run a tap light across the front of properties to connect into Concord Township Sewer Authority.

Susan Darryl, Oakland Road, asked if Enzo's Restaurant will be able to connect into public sewage. Mr. Thorpe responded not at the present time.

TREASURER'S REPORT

Mrs. Furlong reported the following balances as of December 31, 2003:

Total all funds:	\$ 843,552.67
Total all deposits to General Fund:	\$ 62,990.27
Total disbursements General Fund:	\$ 82,936.74

Mrs. Furlong also announced that the 2003 Tax Revenue Anticipation Note had been paid off on December 31, 2003, with the Township making approximately \$450 in interest from the venture.

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (D'Elia, Paul), the Board of Supervisors voted to approve the Treasurer's Report for December, 2003, and authorized payment of bills in the amount of \$82,936.74, as listed in the Disbursement Report dated January 5, 2004.

ROADMASTER REPORT

Mr. Prabel presented the Roadmaster's report for the month of December, 2003, a full copy of which follows.

PLANNING COMMISSION

Mr. Taylor reported that a quorum had not been met at the December 17, 2003 meeting due to the fact that all Planning Commission members were in attendance at the Toll Brothers PRD hearing the same evening at St. Cornelius Church. Since no applicants were present at Planning Commission, the meeting was adjourned at 7:45 PM.

Mr. Paul offered Mr. Taylor information regarding telephone numbers for new Planning Commission members.

ZONING HEARING BOARD

Mr. Wandersee reported that a hearing scheduled for Wednesday, December 17, 2003, for an application of Family Chrysler Jeep had been continued to January 21, 2004.

HARB

No report was available.

SEWER AUTHORITY

Mrs. Taylor presented the Sewer Authority's report for the month of December, 2003, which included a comprehensive report from the Sewer Authority's engineer, Angelika Forndran.

NEW TAX COLLECTOR

Mr. Thorpe announced the appointment of Bruce Prabel as the new Tax Collector to fill the unexpired term of Charles Weigold, that term running through 12/31/05. Mr. Thorpe thanked Mr. Prabel for his two years of service beyond the call of duty as Township Roadmaster.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported the number of permits that had been issued during the month of December, 2003. A written report reflecting same has been submitted.

Mr. Jensen further commented on a letter that had been received from the Chester Water Authority regarding the expenditure of funds to upgrade fire hydrants within the Township. Mr. Jensen had met with Fire Marshall Fred Fields, Concordville Fire Company, who has drafted a letter to the Water Authority stating that the fire company does not need any work performed on fire hydrants.

TOWNSHIP ENGINEER

Mr. Kelly presented the Engineer's report dated January 5, 2004, a copy of which follows.

Mr. Thorpe stated that as the result of a question raised at the most recent Toll Brothers/Camp Sunset Hill PRD Hearing regarding the possible use of Hillman Drive, he and Mr. Kelly had met with owners of properties surrounding the unfinished portion of the Loop Road to see if there is any possibility to get others to participate in the completion of the Loop Road project to have the safest road situation possible in that area.

OPEN SPACE COMMITTEE

Mrs. Debbie Reardon reported that members had not met during the month of December, although business was conducted. A report on those activities will be included in the January, 2004 report.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe reported that the Committee had not met. They were still seeking permission to use pictures on the sign to be erected at Ring and Bullock Roads. Committee members are also awaiting cost estimates from Kelly Engineers and further information from John Milner.

EMERGENCY MANAGEMENT COORDINATOR

Mrs. Wenrich stated that there was no formal report.

FINANCIAL ADVISORY BOARD

There had been no meeting during the month of December.

OLD BUSINESS

Township Solicitor Hugh Donaghue reported that problems regarding both deeds and percolation testing on the Grace/Ridge Road subdivision plan had necessitated an additional extension for Board approval. The applicant had signed an extension until April 5, 2004.

NEW BUSINESS

PROPOSED EXPENDITURE FOR PURCHASE OF TAX COLLECTION SOFTWARE

Bruce Prabel, Tax Collector, presented a proposal to the Board regarding the purchase of a software program for the purpose of streamlining tax collection procedures in the Township. The software would provide automated payment information, monthly reports and lists. Such software would also facilitate future audits.

MOTION TO APPROVE EXPENDITURE FOR TAX COLLECTION SOFTWARE

Upon motion and second (Paul, D'Elia), the Board of Supervisors approved an expenditure not to exceed the amount of \$699 for the purchase of tax collection software and also the purchase of a bar code/scanning pen in an amount not to exceed \$180.

On the same topic, Mr. Donaghue suggested that the Board officially change the

date for the issuance of tax bills to February 1, 2004, with the discount period to expire on March 31st, the face period to expire on May 31st and the penalty payment thereafter through the end of the calendar year. Mr. Prabel stated that those are the dates used by the majority, if not all other municipalities in Delaware County.

MOTION TO CHANGE ISSUANCE and DEADLINE DATES FOR MUNICIPAL TAXES

Upon motion and second (D'Elia, Paul), the Board of Supervisors unanimously approved the following dates for Township tax bills:

	Issued on February 1 st	
discount amount	February 1 st through March 31 st	- Bills payable at
	April 1 st through May 31 st	- Bills payable at face
penalty amount	June 1 st through December 31 st	- Bills payable at

PROPOSAL FOR EXPENDITURE FOR TAX COLLECTOR AUDIT

Mrs. Love D'Elia reported that with the change of tax collectors it was necessary to have an audit performed. The Township's auditors, MervesAmon&Barsz, had submitted a proposal for review by Board members.

MOTION TO APPROVE EXPENDITURE FOR TAX COLLECTOR AUDIT

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved an expenditure of \$3500 for the firm of MervesAmon&Barsz to perform a tax audit.

Mr. Paul asked Peter Barsz, Township Auditor, who was present during the meeting, to expedite the audit process so that Mr. Prabel will be in a position to obtain documents as soon as possible.

APPLICATION FOR ADDITIONAL MASSAGE LICENSE/REFLECTIONS SALON

Mrs. Love D'Elia reposed herself from any discussion regarding Reflections Spa & Salon. Mr. Thorpe stated that although an actual application had not been filed, the applicant, Ms. Cache Pulliam was present to answer questions from the Board regarding her proposed work as a masseuse at Reflections Spa and Salon. Mr. Donaghue made the record clear that this was an application for an additional license for Reflections.

2004 CONCORDVILLE FIRE and PROTECTION SERVICES CONTRACT

Mr. Thorpe announced that it was time to renew the yearly contract with Concordville Fire and Protection Services and briefly reviewed the provisions of the document. Ms. Love D'Elia stated that the Fire Company had requested some \$15,000 more in funding than the approximate \$32,000 that was sited in the contract. Mr. Thorpe had met with a representative of the Fire Company to discuss the provisions of the contract and future revenue from an increased assessment in the Township.

MOTION TO APPROVE 2004 CONCORDVILLE FIRE and PROTECTION SERVICES CONTRACT

Upon motion and second (Paul, D'Elia), the Board of Supervisors approved the

2004 Concordville Fire and Protection Services Contract.

PennDOT COMPREHENSIVE MAINTENANCE AGREEMENT – RESOLUTION 2004-04

Mr. Donaghue reported that the maintenance agreement and resolution will allow the Township to receive \$15,000 for work that had already been performed on Ridge Road near the Sewer Authority's plant. Township Engineer Jim Kelly stated that PennDOT had required additional work over and above what had initially been required when the permit had been issued. Mr. Paul stated that Mr. Murray, Sewer Authority Chairman, had sought monetary relief for the extra work that the Authority's contractor had performed on phase one of the sewer extension on Ridge Road.

MOTION TO APPROVE RESOLUTION 2004-04 - PennDOT COMPREHENSIVE MAINTENANCE AGREEMENT

Upon motion and second (Paul, D'Elia), the Board of Supervisors to approved Resolution 2004-04, approving PennDOT's proposed Comprehensive Maintenance Agreement for Ridge Road.

GRANT MONIES UNDER SEWAGE FACILITIES ENFORCEMENT GRANT PROGRAM

Ms. Love D'Elia reported that the amount of \$6,477.18 been received from the Commonwealth of Pennsylvania as reimbursement for expenses incurred by the Township for Act 537 work.

PROPOSED ORDINANCE FOR TOWNSHIP COMPLIANCE WITH ACT 167

Mr. Thorpe announced that a proposed Township ordinance for compliance with Act 167 was not ready for review or adoption. The topic will be added to the February agenda for consideration.

PROPOSED TAX COLLECTOR ORDINANCE

Mr. Thorpe stated that it will be necessary for the Township to adopt an ordinance establishing fees to be collected by the Tax Collector for services such as tax certifications, etc. Mr. Thorpe directed Mr. Donaghue to prepare an ordinance and suggested the Board authorize Mrs. Furlong to place the requisite legal advertisements.

MOTION TO APPROVE LEGAL ADVERTISEMENT FOR TAX COLLECTOR FEE ORDINANCE

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors authorized the Township Solicitor to draft a Tax Collector Ordinance and further authorized the Township Secretary place the necessary legal advertisements.

DATE FOR CONTINUATION OF PRD HEARING/TOLL BROTHERS CAMP SUNSET HILL

Mr. Donghue had spoken to Louis Coligreco, Esquire, attorney for Toll Brothers, regarding a date for the continuation of the PRD hearing on the Toll Brothers/Camp Sunset Hill application. The date of Monday, January 26, 2004, at 7:00 PM was agreeable to all. Mr. Cutrona will see if the church hall is available. Ms. Love D'Elia stated that the date will be confirmed and then advertised both as a legal notice and by Mr. Schwartzman in the Chadds Ford Post.

MEETING CONVENED

With thoughts that action might be necessary for an Open Space referendum prior

to January 27th, the Board of Supervisors meeting of January 5, 2004, was convened to the evening of Monday, January 26, 2004, at which time a determination will be made as to whether or not an Open Space referendum will be added to the ballot.

MOTION TO CONVENE BOARD OF SUPERVISORS MEETING

Upon motion and second (Paul, Thorpe), the Board of Supervisors continued the meeting of January 5, 2004, to resume on Monday, January 26, 2004, at 7:00 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary